

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7425 of 1998

1. Krishna Kant Singh.
2. Yogendra Singh.
Both sons of late Prashidh Singh, resident of Village- Chakbajo, Police Station- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The Director of Consolidation, Bihar, Patna.
2. The Principal, Consolidation Training Centre, Bihar, Patna.
3. Deputy Director of Consolidation, Muzaffarpur.
4. Deputy Director of Consolidation, Sitamarhi.
5. Deonandan Singh.
6. Khush Nandan Singh.

Both are sons of Harif Singh.

7. Pankaj Kumar Singh, son of late Nawal Kishore Singh.
8. Shri Kant Singh, son of Sheo Nandan Singh.
9. Surajkant Singh.
10. Ravi Bhushan Singh.
11. Sunil Kumar Singh.

All are sons of Ram Surat Singh.

12. Singari Kuer, wife of Ram Nandan Singh.
13. Mostt. Hastpari Kuer, wife of late Hardeo Singh.
14. Maheshwar Singh, son of late Hardeo Singh.
15. Jai Kumari Devi.
16. Sharda Devi.

Both are daughters of late Hardeo Singh.

17. Sakuntala Kuer, wife of late Harif Singh.
18. Widow name not known, wife of late Chandra Bhushan Singh.

All are residents of Village- Chakbajo, P.S.- Sarai, District- Muzaffarpur.

.... Respondent/s

With

Civil Writ Jurisdiction Case No. 7084 of 1998

1. Sukdeo Singh.
1. Deo Nath Singh.
3. Sachida Nand Singh.
4. Parsuram Singh.
All are sons of Mangal Singh.
5. Nagendra Singh, son of Ram Shresth Singh.
6. Ram Dhyan Singh.
7. Ramadhar Singh.

Both are sons of Sahdeo Singh.

8. Haribans Singh, son of Ram Shresth Singh.
9. Ramvinoy Singh.
10. Ram Baran Singh.

Both are sons of Lal Bahadur Singh.

11. Ram Badan Singh.

12. Ram Lakhan Singh.

13. Dharamnath Singh.

All are sons of Ram Shresth Singh.

14. Raghubans Singh, son of Ram Shresth Singh.

All are residents of Village- Chakbajo, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The Director of Consolidation, Bihar, Patna.

2. The Principal, Consolidation Training Centre, Bihar, Patna.

3. Deputy Director of Consolidation, Muzaffarpur.

4. Deputy Director of Consolidation, Sitamarhi.

5. Deonandan Singh.

6. Khush Nandan Singh.

Both are sons of Harif Singh.

7. Pankaj Kumar Singh, son of late Nawal Kishore Singh.

8. Shri Kant Singh, son of Sheo Nandan Singh.

9. Suraj Kant Singh.

10. Ravi Bhushan Singh.

11. Sunil Kumar Singh.

All are sons of Ram Surat Singh.

12. Singari Kuer, wife of Ram Nandan Singh.

13. Most Hastpari Kuer, wife of late Hardeo Singh.

14. Maheshwar Singh, son of Late Hardeo Singh.

15. Jai Kumari Devi.

16. Sharda Devi.

Both are daughters of late Hardeo Singh.

17. Sakuntala Kuer, w/o late Harif Singh.

18. Widow name not known, wife of late Chandra Bhushan Singh.

All are residents of Village- Chakbajo, P.S.-Sarai, Disttict- Muzaffarpur.

.... Respondent/s

With

Civil Writ Jurisdiction Case No. 8806 of 1998

Sukhdeo Singh & Ors

.... Petitioner/s

Versus

The Director of Consolidation & Or.

.... Respondent/s

With

Civil Writ Jurisdiction Case No. 8434 of 1998

Sukhdeo Singh & Ors

.... Petitioner/s

Versus

The Director of Consolidation & Ors.

.... Respondent/s

With

Civil Writ Jurisdiction Case No. 8435 of 1998

Sukhdeo Singh & Ors
..... Petitioner/s
Versus
The Director of Consolidation & Ors.
..... Respondent/s

**Appearance :
(In CWJC No. 7425 of 1998)**

For the Petitioner/s : Mr. Naresh Chandra Verma
Mr. Arun Kumar Lal
For the Respondent/s : Mr. (GP2)
For the Private Respondents: Mr. Bhubneshwar Prasad
Mr. Amit Pawan
Mr. Rajesh Dayal

(In CWJC No. 7084 of 1998)

For the Petitioner/s : Mr. Naresh Chandra Verma
For the Respondent/s : Mr. (GP2)
For the private Respondents: Mr. Bhubneshwar Prasad
Mr. Raj Kumar
Mr. Amit Pawan

(In CWJC No. 8806 of 1998)

For the Petitioner/s : Mr. Naresh Chandra Verma
Mr. Arun Kumar Lal
For the Respondent/s : (GP2)

(In CWJC No. 8434 of 1998)

For the Petitioner/s : Mr. Naresh Chandra Verma
Mr. Arun Kumar Lal
For the Respondent/s : (GP2)


(In CWJC No. 8435 of 1998)

For the Petitioner/s : Mr. Naresh Chandra Verma
Mr. Arun Kumar Lal
For the Respondent/s : (GP2)

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT
Date: 14-05-2015

Heard Mr. Naresh Chandra Verma, learned counsel
appearing for the petitioners, learned counsel for the State and Mr.
Bhubneshwar Prasad for the private respondents.

On the submission made by Mr. Naresh Chandra
Verma that some other matters arising from the same proceedings



are pending before this Court that this Court vide order passed on 30.4.2015 directed for listing of CWJC No.8806 of 1998, CWJC No.8434 of 1998 and CWJC No.8435 of 1998 along with CWJC No.7425 of 1998 and CWJC No.7084 of 1998.

The office notes reflect that those writ petitions i.e. CWJC No.8806 of 1998, CWJC No.8434 of 1998 and CWJC No.8435 of 1998 have been dismissed for non-compliance of the peremptory order passed on 31.8.1999. Thus the orders impugned in those writ petitions have attained finality.

The two writ petitions which are ripe for consideration today are CWJC No.7425 of 1998 and CWJC No.7084 of 1998. Although a plea has been taken by Mr. Verma, learned counsel appearing for the petitioners that the order impugned in the writ petitions, is ex-parte and amounts to review of the earlier order passed on 8.5.1995 but in my opinion the order itself reflects that there is dispute of title between the contesting parties and which would require an adjudication by a proper forum and not the Revenue authorities.

These writ petitions were admitted on 15.2.2000 with no order of stay. Meaning thereby the order under challenge has been operative since last 15 years and in other connected writ petitions, they have attained finality.

In the circumstances discussed and without expressing any opinion on the finding recorded by the revisional authority in the impugned order on relative merits of the claim, the two writ petitions are disposed of with liberty to the party aggrieved to take recourse to such civil law remedy that may be available to them in law, if so advised, for establishing their claim.

It goes without saying that the finding recorded by the revisional authority would not come into the way of the parties contesting for establishing their right, title and interest over the lands in dispute.

The two writ petitions are disposed of accordingly.

(Jyoti Saran, J)

SKPathak/-

U			
---	--	--	--